

the Surface Transportation Board for a term expiring December 31, 2017?

The nomination was confirmed.

VOTE ON ANTHONY NOMINATION

The PRESIDING OFFICER. The question is on the Anthony nomination.

Who yields time?

Ms. STABENOW. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Steven Joel Anthony, of Virginia, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2018?

The nomination was confirmed.

VOTE ON YOHANNES NOMINATION

The PRESIDING OFFICER. The question is on the Yohannes nomination.

Ms. STABENOW. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Daniel W. Yohannes, of Colorado, to be Representative of the United States of America to the Organization for Economic Cooperation and Development, with the rank of Ambassador?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative business.

PAYCHECK FAIRNESS ACT—  
MOTION TO PROCEED—Continued

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The senior Senator from Rhode Island.

The Senate will be in order.

Mr. REED. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MINIMUM WAGE FAIRNESS ACT

Mr. REED. Mr. President, I rise to speak about the Minimum Wage Fairness Act, which I strongly support. The minimum wage, first instituted in 1938, has served as a key way to protect workers in our economy, ensuring they are able to earn enough money to provide basic living necessities. However, the current minimum wage set at \$7.25 fails to do that.

The Federal minimum wage has not been increased since 2009. Today an in-

dividual who works 40 hours per week, 52 weeks a year at the Federal minimum wage earns \$15,080 per year. This is nearly \$5,000 below the Federal poverty level for a family of three and almost \$9,000 below the poverty level for a family of four. This means we have hard-working Americans who put in full-time work every week for the entire year yet still live in poverty. This is unacceptable.

If we fail to act, the Federal poverty level will rise with inflation while the minimum wage will not. As a result, families earning \$7.25 per hour will continue to fall further and further below the poverty line.

The value of the minimum wage peaked in 1968, and it is now much lower due to inflation. If the minimum wage had kept pace with inflation, it would currently pay \$10.74 per hour. While the value of the minimum wage has been on the decline, worker productivity has been on the rise, and that is a disconnect. Increased productivity usually means there are increased wages that reflect that productivity, but that is not the case with the minimum wage. If the minimum wage had increased with rising productivity, it would be worth over \$21 per hour today. Yet the minimum wage still stays stuck at \$7.25.

If we were paying workers based on the 1968 level, it would be much higher. If we were paying workers based on their productivity and their ability to do the job, it would be exceptionally high.

The bill that will come before us shortly will increase the minimum wage in three installments until it reaches \$10.10 per hour and then tie the Federal minimum wage to inflation. This would ensure that the value of the minimum wage will not be eroded over time as it has been. The bill will also increase the minimum wage for tipped workers, whose minimum wage has been fixed at \$2.13 for over two decades. I must salute the Presiding Officer for his insistence that this provision be included in the minimum wage bill.

Over 3.5 million Americans currently work at or below the current minimum wage, and there are millions more who work just above it. Raising the minimum wage would therefore increase the wages of everyone making between the current minimum wage and the \$10.10 mark.

The Congressional Budget Office estimates that 16.5 million Americans would see their wages increased by this legislation. The Council of Economic Advisers estimates that 28 million people would benefit from the wage increase.

According to researchers at MIT, a Rhode Island worker supporting a family of four would need to earn \$19.17 per hour to have a living wage, a wage in which he or she could adequately support their family. Yet the current minimum wage lags woefully behind, thereby putting many working families in dire financial situations.

The Economic Policy Institute estimates that raising the Federal minimum wage to \$10.10 per hour—I would point out that our minimum wage in Rhode Island is \$8 and that is higher than the Federal minimum wage—would give over 90,000 Rhode Islanders a raise. That would immediately translate to economic activity in Rhode Island, and it would immediately translate into growth in Rhode Island. That raise would affect almost 20 percent of our workforce. This is a critical way—in order to give families the ability to support themselves—to increase economic growth and also significantly begin to bring together workers at every level. We have seen extraordinary gains at the top level. We have extraordinary stagnation at the mid-level and the low level. We have to start bringing ourselves together rather than pulling ourselves apart.

Providing a raise to these Rhode Island workers would also impact an estimated 40,000 children in those families. Over 3 years, the Economic Policy Institute estimates this will cause the Rhode Island economy to grow by \$77 million and support 300 additional jobs. We are talking about economic growth as well as fairness to working Americans.

The benefits of raising the minimum wage are vast both in my State and across this country. According to the CBO, this legislation would lift an estimated 900,000 people out of poverty. It would also help low and middle-income families who have been struggling in this economy. This would have a huge impact—and a positive impact—across the country.

Increasing the minimum wage is especially important to women who disproportionately work minimum wage jobs. Fifty-five percent of all minimum wage workers are women, including over 70 percent of the tipped workers.

Again, thanks to the efforts of the Presiding Officer, we are focusing on this issue of the tipped worker and their minimum wage.

While some have suggested otherwise, this legislation is also good for business. Studies show that higher wages allow businesses to save money because they have less turnover and lower training costs, which leads to increases in worker productivity that helps businesses succeed. An increased minimum wage can also help our Nation's small businesses to compete. It forces the big-box stores to pay wages that are comparable to those that are paid by many small businesses, which levels the playing field in the marketplace.

Finally, this bill will save billions of dollars on the Federal budget. By raising the minimum wage to \$10.10, Federal need-based programs would have fewer enrollees and the costs of these programs would drop significantly. Researchers at the Brookings Institution estimate that increasing the minimum wage to \$10.10 will save at least \$11 billion annually in the Federal budget,

and these savings come both from the lower costs of Federal programs and increased revenues from taxing a higher base salary.

Some critics have suggested that increasing the minimum wage only helps teenagers, but in fact the average age of individuals who will benefit from this legislation is 35 years old. Nationally, over 84 percent of those directly affected by this legislation are at least 20 years old and nearly half are at least 30.

In my State, according to the estimates by the Economic Policy Institute, 77 percent of workers who would see a raise under this bill are at least 20 years old. This is not just the part-time high school student who works a few hours a week making the minimum wage; these are people who are, on average, 30 years or older who are working and struggling not only for themselves but, in many cases, for their families. This bill is something that is beneficial to workers throughout this country.

Opponents of the minimum wage have also argued that increasing the minimum wage will decrease jobs, citing a recent CBO report. However, the CBO report was generated without any new analyses on the part of the CBO, and their estimates are stated with a great deal of uncertainty.

In fact, the CBO's own numbers suggest there is a 16-percent chance that increasing the minimum wage to \$10.10 would actually increase employment. Economists at Goldman Sachs and at the Brookings Institution say that the CBO report overstates the likely negative impact on jobs.

Further, over 600 economists, including 7 Nobel Prize winners, sent a letter to President Obama and congressional leaders urging them to support this bill, saying that "the weight of evidence now [shows] that increases in the minimum wage have had little or no negative effect on the employment of minimum-wage workers, even during times of weakness in the labor market." They go on to add that it could help stimulate the economy as higher wages will lead to increased consumer demand and spending.

The most recent research suggests that rather than having job losses, this will contribute to a growing economy. The benefits of raising the minimum wage are immense for families, workers, and the economy as a whole.

I urge my colleagues to support this important legislation to help restore the minimum wage as a safeguard for workers and their families in this country.

RECOGNIZING 99TH ANNIVERSARY OF ARMENIAN GENOCIDE

Mr. REED. Mr. President, this month we solemnly recognize the 99th anniversary of the Armenian genocide. Ninety-nine years ago the Young Turk leaders of the Ottoman Empire summoned and executed over 200 Armenian leaders and intellectuals, beginning an 8-year campaign of oppression and mas-

sacre. By 1923, nearly 1.5 million Armenians were killed and over a half a million survivors were exiled. These atrocities affected the lives of every Armenian living in Asia Minor and, indeed, throughout the world.

Henry Morgenthau, Sr., who was the U.S. Ambassador to the Ottoman Empire during President Wilson's administration and who had urged intervention, later remembered the events of the genocide, saying:

I am confident that the whole history of the human race contains no such horrible episode as this. The great massacres and persecutions of the past seem almost insignificant when compared to the sufferings of the Armenian race in 1915.

The survivors of the Armenian genocide, however, persevered due to their unbreakable spirit and steadfast resolve. They went on to enrich their countries of emigration, including the United States, with their centuries-old customs and culture. That is why today we not only commemorate this grave tragedy, but we celebrate the traditions, the contributions, and the bright future of Armenia.

In particular, I wish to note the incredibly strong Armenian-American community in my home State of Rhode Island. The Rhode Island Armenian-American community, as it does each year, holds events in commemoration of this grave tragedy. One will take place this year at the Martyrs' Monument at the North Burial Ground in Providence. This monument was built 38 years ago in memory of those who were lost in the genocide.

This year I once again join with my Senate colleagues on a resolution that encourages the United States to officially recognize the Armenian genocide. Denial of this history is not consistent with our country's sensitivity to human rights, ethnic cleansing, and genocide. We must continue to educate our young people against this type of hatred and oppression so that we can seek to prevent such crimes against humanity in the future.

I also remain committed to supporting efforts as a member of the Senate Appropriations Committee to provide foreign assistance to Armenia to promote economic growth and business competitiveness, strengthen military and security assistance, and support democratic reforms and sustainable development.

I also wish to express my concern regarding the recent fighting and violence that is endangering the Armenian community in Kessab, Syria, and has forced many to flee. This community and so many others continue to struggle in the midst of this conflict.

We must find a way to recognize what happened 99 years ago and show our steadfast support to those who are currently being impacted by persecution. I hope we can come together and do that.

With that, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

Mr. BROWN. Mr. President, I rise today on three matters. First and most importantly is the issue of pay equity. Frankly, we should not be talking about this in 2014—the fact that women still too often do not get equal pay for equal work. Senate Republicans showed this morning—it is disappointing—that too many in this Chamber simply do not think closing the wage gap between men and women—closing the wage gap by which working women are victimized—is that important.

Think back to 1963, the beginning, not of the civil rights movement, of course, but of Congressional action in 1963, 1964, and 1965 on voting rights and civil rights. In 1963, the Equal Pay Act came up first. President Kennedy signed it. Women were earning 60 cents for every dollar men earned. Now, 50 years later, that figure has increased only 17 cents.

How many more years should people in this country wait? In 2012, median earnings for men working full time in Ohio were \$46,700; for women \$35,900, an earnings ratio of about 77 percent. The Paycheck Fairness Act would shore up the Equal Pay Act and create stronger incentives for employers to follow the law while helping women fight pay discrimination.

The pay gap persists across all occupations and educational levels. From the outset women are paid less than men just 1 year after college in nearly every occupation. The gap grows from there. As the gap grows in pay, the gap grows in pensions. Lilly Ledbetter taught us that. The decidedly lower pay that she received working at Goodyear showed up in a significantly lower pension when she retired. Over the course of a 35-year career, a woman with a college degree will make about \$1.2 million less than a man with the same level of education.

As I said, women make less, their families have less, and the retirement income and savings are smaller. For Women 65 and older, their annual median income from all retirement sources—Social Security, pensions, and private savings—is about \$11,000 less than men in the same age group. It is even more discouraging for African-American women, who make 64 percent less, and Hispanic women, who earn 53 percent less. That is so, so unacceptable.

As a father of daughters, as a husband, as a grandfather of 2-week-old Jacqueline Sally, I know—and so does America—this pay gap devalues women's work and discourages economic growth because women make up nearly half of today's workforce. At a time when families are struggling to make

ends meet, equal pay for equal work is not just a gender issue; it is a family issue.

In more than one-third of families, women are the primary wage earner. As the main breadwinner, women are asked to carry a greater economic load while making less than they deserve and, frankly, less than they have actually earned.

Many of these women get up early, they take the bus to work, they stand on their feet all day, they come home, they take care of their children, and they do not ask for a handout. But they are asking for equal pay. If the wage gap were eliminated, an Ohio woman working full time would have enough money for 88 more weeks of food for her family, 9 more months of mortgage and utility payments, 15 months of rent, and 3,000 additional gallons of gas. Our economy would grow, boosting GDP by 2.9 percent, or \$450 billion.

#### THE MINIMUM WAGE

Senator JACK REED was in the Chamber 45 minutes or so ago when I was the Presiding Officer. Senator REED talked about Rhode Island and the minimum wage and the impact of a lower minimum wage than it should be. They have a bit higher one in Rhode Island than in some States, and we have a bit higher one in Ohio than in some States. But raising the minimum wage to 10.10 an hour nationally would mean—he said 90,000 people in Rhode Island. It would be way more, hundreds of thousands in Ohio who would get an increase in the minimum wage and would get a pay raise if this body did what it should, which we are going to try to do in the next 3 or 4 weeks; that is, to raise the minimum wage.

The impact of the minimum wage is especially important for women. What is especially important for women is the so called “tipped wage.” This is the tipped wage for people who work in jobs where there are tips. It could be a valet, it could be a waitress or a server or it could be somebody pushing a wheelchair at an airport. Their minimum wage is only \$2.13 an hour, plus tips, if people know to tip the man or woman who is pushing the wheelchair in the airport.

I watch pretty closely. I spend a lot of time flying between Cleveland and Washington or Columbus and Washington. I notice that more often than not, people who ride in the carts or are sitting in a wheelchair do not tip the worker whose minimum wage is \$2.13 an hour. They do not tip the worker because I think they do not know to tip the worker. I do not think they are cheap. They do not know that worker may be only making \$2, \$3, \$4 or \$5 an hour.

But the minimum wage for that tipped worker is only \$2.13 an hour. Whether they work in a diner in Gallipolis, or Chillicothe, whether they are working at the Toledo or Cleveland airport driving a cart or pushing a wheelchair, whether they are working as a

valet in Cincinnati or Dayton, their tipped wage has been stuck at \$2.13 since 1991.

The State of Maryland recently raised their minimum wage. They did not raise the tipped wage which is stuck where it has been for a number of years. Americans do not know this—that typically there is a subminimum wage that is a lot less. Most of the workers—the overwhelming majority of workers that get that tipped wage—are women.

We know that in restaurants the sexual harassment rate of workers is one of the highest in the country because they depend on customers for their tips and they depend on their boss for the distribution of the tips to get their minimum wage—\$2.13 an hour. Some restaurants pay \$3, \$4 or \$5—I am not saying none of them do, but to get their minimum wage—their tipped wage—simply up to the minimum wage.

Surely, as some will say, in some restaurants the workers make way, way, way more than the minimum wage. They are more likely than not male workers who work in the highest end restaurants. You are more likely going to see women in the diners and the lower-paid service jobs in restaurants.

#### DOOLITTLE TOKYO RAIDERS

April 18 will mark the 72nd anniversary of the 1942 Doolittle Raid, the first offensive action by the U.S. military following Pearl Harbor. Eighty men, known today as the Doolittle Tokyo Raiders, volunteered for an “extremely hazardous mission” without knowing the target, location or assignment. The Raiders, led by LTC James Doolittle, launched their B-25 Mitchell Bombers 650 miles from their target. After hitting their military and industrial targets in Tokyo and five other cities, they were low on fuel, the weather was deteriorating. All 16 planes were forced to crash-land in China or Russia.

Of the 80 men on the mission, eight Raiders were captured. Of these eight, three were executed; one died of disease; and four returned home. Their mission traveled an average distance of 2,200 miles over 13 hours, making it the longest combat mission ever flown in a B-25 Mitchell Bomber.

I would add that another aviation hero in Vietnam just walked into the Chamber—Senator MCCAIN—right at the time I was talking about the Doolittle Raiders. The Senator has signed our resolution and commendation for a Medal of Honor for them. I thank Senator MCCAIN both for his heroism, especially, and for joining us in this effort.

In 2002, I led a resolution to recognize the 70th anniversary. It passed the Senate unanimously. Early last year, I renewed my efforts to award the Congressional Gold Medal to the Doolittle Tokyo Raiders. We have got 78 cosponsors, nine more than the 67 necessary. This bill passed in the Senate in November by unanimous consent.

On November 9, 2013, the Raiders celebrated their final reunion. They

have met every year since the end of—I believe since the end of World War II. They met at the National Museum of the U.S. Air Force in Dayton. The meeting marked the last planned gathering of the living Raiders, which was celebrated by the opening of an 1896 bottle of Hennessy cognac, originally given by their commander, Jimmy Doolittle, on his 60th birthday.

Of the 80 men on the raid, only four remain alive today; only 3 were able to get to the reunion. Time is running out. I appreciate the efforts of Congressman PETE OLSON from Texas who is leading the effort in the House.

I hope the Speaker, the leadership, and both parties will take the final action needed to pass the legislation to honor these heroes.

#### 150TH ANNIVERSARY OF GALLAUDET UNIVERSITY

It is appropriate Senator MCCAIN is in the Chamber too. In 2008, Senator MCCAIN, who had served as the Senate designee on the Gallaudet University board of trustees, left during his Presidential run. Senator HARKIN and Senator MCCAIN apparently had recommended that I be the Senate designee on the board at Gallaudet University.

This week Gallaudet celebrated its 150th anniversary. It is an incredible place, as Senator MCCAIN knows. It is the only one of its kind in the world, a school for the deaf, created during the administration of President Lincoln 150 years ago in 1864.

Senator MCCAIN certainly will have reminiscences and stories about serving on this board, but my first dinner my first night at the Gallaudet University board meeting, the students, all deaf, came out and performed a dance for the board. A number of the board hear—as I do, obviously—but a number don't and they signed everything.

The students who were dancing to the music were able to dance because of the vibrations they felt on the floor. You could see this dance troupe, but if you hadn't known better, you wouldn't have known they were deaf because they were dancing an exact rhythm with the percussion, the beat, and the vibrations on the floor in the ballroom where the dinner was for the Gallaudet board.

I wish Gallaudet another 150 years. It is an incredible institution. It has served this country so well. It is partially congressionally funded.

Senator MCCAIN, Senator HARKIN, and now Senator MORAN of Kansas are all particularly interested in it. It is an honor to be part of it. I wish Gallaudet a happy 150th birthday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank the Senator from Ohio for his service on one of the very remarkable experiences that one could have at Gallaudet University—the wonderful, loving, caring people who make us all proud of their success. I thank him for his involvement.

I also thank him for honoring our heroes today of long ago and far away

when the United States was in great jeopardy.

#### LITTORAL COMBAT SHIP PROGRAM

I rise to bring attention to the Navy's littoral combat ship—with not a great deal of pleasure in doing so. It is a troubled major defense acquisition program that, if not properly addressed, will join a list of failed procurements at the Department of Defense.

From the 13 arduous years LCS has been in development, we have learned yet again an important costly basic lesson: If we don't know what we really want when we procure a weapons system, we are likely not to like what we get, if we get anything. In this case, the Navy's poor planning continues to frustrate its ability to state a clear role for LCS, the littoral combat ship, has led to dramatic cost increases, years of wasted effort, and a ship that the U.S. Pacific Command Commander Admiral Locklear recently conceded only "partially" satisfies his operational requirements.

The list of how the Littoral Combat Ship Program has failed is ironic and—given the amount of taxpayers' investment to date—shameful. In LCS we have, No. 1, a supposed warship that apparently can't survive a hostile combat environment; No. 2, a program chosen for affordability that doubled in cost since inception and is subject to the risk of further cost growth as testing continues; No. 3, a "revolutionary" design that somehow has managed to be inferior to what came before it on important performance measures; and, No. 4, a system designed for flexibility that cannot successfully demonstrate its most important warfighting functions.

Like so many major programs that preceded it, LCS's failure followed predictably from a chronic lack of careful planning from its very outset in three areas: undefined requirements, unrealistic initial cost estimates, and unreliable assessments of technological and integration risk.

In 2002, the Navy submitted its first request to Congress to authorize funding for the LCS Program. Yet even then the program's lack of defined requirements drew criticism from the Armed Services Committee conferees. The conferees noted that:

LCS has not been vetted through the [Pentagon's top requirements-setting body, called the] Joint Requirements Oversight Council [and that] the Navy's strategy for the LCS does not clearly identify the plan and funding for development and evaluation of the mission packages upon which the operational capabilities of LCS will depend.

Despite the conferees' concerns, Congress approved funding for the LCS Program and authorized hundreds of millions of dollars for a program without well-defined frozen requirements. The Navy, therefore, charged ahead with production without a stable design or realistic cost estimates. That resulted in frequent costly changes to the ships, even as they were being built.

Originally, the Navy wanted a small, fast, affordable ship to augment larger ships in the fleet, with several interchangeable plug-and-play mission modules that would be used with aluminum and, separately, steel-hull seaframes. LCS was to serve multiple roles operating in coastal or open waters as part of a larger battle force.

The Navy could have easily procured a small warship similar to those already serving in naval fleets around the world. The capabilities of such ships were well-known at the time and would have required much less development.

The Navy could also have upgraded older ships with a proven track record. Without any formal analysis of those reasonable alternatives, the Navy opted instead to develop a high-risk "revolutionary" ship that bore little resemblance to anything else in the fleet.

Despite the foreseeable costs of building LCS seaframes while development was still ongoing, LCS's original cost estimates were overly optimistic. Navy officials have since characterized those estimates as "more of a hopeful forcing function than a realistic appraisal of likely costs." I can assure my colleagues that if we had known that was the Navy's cost estimates at the time—hopeful forcing function, more than a realistic appraisal of likely costs—I can assure my colleagues we would never have approved it.

While hope for low costs may spring eternal, reality is a far more helpful basis in generating cost estimates. In this case, a realistic estimate would have allowed legislators and top defense acquisition managers alike to make much more informed decisions on procuring the LCS.

But because of poor planning early in the program, LCS suffered through years of waste while demonstrating little in the way of desired combat capability. Hundreds of millions of dollars continued to pour into LCS each year, even though the program continually failed to deliver useful capability or conclusively flesh out the ship's unstable design.

Finally, in 2007—remember, 5 years later—Secretary of the Navy Donald Winter identified a need to slow down production so that a clear LCS design could be established and fixed-price agreements could be pursued before more taxpayer dollars were wasted. I strongly supported Secretary Winter's actions, and I still believe that he effectively highlighted the extent to which LCS was slipping out of control.

It was not until 2010, however, that the Navy ultimately began to implement guidelines to bring skyrocketing LCS costs under control. With congressional approval, the Navy overhauled and restructured the LCS Program and, since then, the cost of building LCS's seaframes has finally stabilized. But even though the Navy has stabilized these costs, the large investments sunk into the program to date

have still not yielded commensurate combat capability.

Since the early stages of LCS procurement, I have attempted to shine a light on the lack of planning that has plagued the program. Last year, I authored legislation to reduce LCS production and require validation by the Department of Defense and the Navy that the program's seaframes and mission packages were on schedule and would meet the capability requirements of combatant commanders prior to additional funding.

Congress spoke resolutely on the issue approving that legislation and sending a clear message the LCS would need to justify its existence with meaningful progress toward becoming operational.

Despite that the cost to complete the construction of the seaframes has stabilized over the past few years, LCS continues to face another potentially crippling consequence of poor planning, and that is a serious lack in capability.

Just last month, Secretary of Defense Chuck Hagel identified this problem while announcing that the President's budget request for fiscal year 2015 would reduce LCS production by 40 percent, from 52 ships to 32 ships. Secretary Hagel said:

The LCS was designed to perform certain missions—such as mine-sweeping anti-submarine warfare—in a relatively permissive environment. But we need to closely examine whether the LCS has the independent protection and firepower to operate and survive against a more advanced military adversary and emerging new technologies, especially in the Asia Pacific.

Other Department of Defense leaders have expressed similar doubts about LCS's abilities to survive combat situations. Acting Deputy Secretary of Defense Christine Fox in a speech on February 11, 2014, said:

Niche platforms that can conduct a certain mission in a permissive environment have a valuable place in the Navy's inventory, yet we need more ships with the protection and firepower to survive against a more advanced military adversary.

The prospect of sending LCS into combat with the lives of American sailors at risk is even more chilling in the aftermath of the Government Accountability Office's July 2013 report on LCS. Early in LCS's development, the Navy intended for the ship to be a self-sufficient combatant that could engage in major combat operations and survive in a battlespace actively contested by enemy forces.

According to the Government Accountability Office, however, more recent Navy assessments suggest that LCS has little chance of survival in a combat scenario. Instead, LCS can only be safely employed in a relatively benign, low-threat environment.

GAO also found deficiencies in the ability of LCS to operate independently in combat, turning a supposedly capable warship into a vessel requiring significant support from larger ships of

the fleet. Such fundamental uncertainty about LCS's capacity to function as a warship in a combat environment demonstrates a lack of clarity regarding LCS's actual capabilities.

Recent GAO assessments continue to highlight major problems regarding the LCS Program. According to an article last Friday, a soon-to-be released GAO report will validate the need for LCS to be subject to rigorous testing and evaluation, not just anecdotal lessons learned from a single overseas deployment. And there is talk of another impending GAO report critical of LCS that will also likely echo the issues I have long cited that continue to plague this program.

GAO is not alone in expressing concern about LCS's capabilities. In January 2014 the Department of Defense Director of Operational Test and Evaluation published his annual report and noted that weapons systems aboard each of the two LCS variants are struggling to demonstrate required capabilities. The report noted:

The Navy has not yet conducted comprehensive operational testing of the LCS [and is] still developing the concept of employment for these ships in each of the mission areas.

It is worth taking a moment to step back and consider the absurdity of this situation. Planning and development of LCS has been going on for 12 years, roughly triple the time it took to fight and win the Second World War. In that time, the Navy has spent billions of dollars and failed to even figure out how to use the ships it is procuring once those ships demonstrate some semblance of capability.

And lest we forget, whether LCS will ultimately be operationally effective, suitable, and survivable remains at best unclear. Failure this comprehensive is incredible, even for our broken defense procurement system.

The individual mission packages that were supposed to give LCS its real functionality in the fleet present another area of major concern. The LCS's are meant to be outfitted with one of three interchangeable mission packages tailored for particular roles in the fleet—antisubmarine warfare, surface warfare, and mine countermeasures. So far, the mission packages have experienced significant performance issues.

The antisubmarine warfare mission package has suffered particularly severe setbacks in recent years. When the antisubmarine package was tested by the Navy, it actually demonstrated less capability than predecessor systems. The Navy subsequently canceled the package and reportedly revised its entire strategy for procuring that aspect of LCS. The Navy has now stated a goal of fielding the antisubmarine mission package by 2018, but no independent assessment has been performed to evaluate the likelihood the Navy will meet that 2018 goal. The program's performance to date, of course, does not fill me with confidence that the goal will be reached on schedule.

The other mission packages have also experienced major problems. The Navy has taken delivery of early versions of the surface warfare and mine warfare mission packages. But according to GAO, both packages have experienced significant performance issues and neither has yet been fully integrated into the LCS seaframes.

The mine countermeasures mission package, considered by many experts to be the most important, is more than 4 years behind schedule. According to the DOD's Director of Operational Test and Evaluation, the mine countermeasures mission package has yet to demonstrate any of its required capabilities.

Given the utter failure of the mine countermeasures mission package to date, the Navy has altered its plan for acquiring this package. The full package will be delivered over a series of four increments and, if everything goes according to plan, the Navy will successfully demonstrate the capability of the fourth and final increment in 2019, 18 years—18 years—after planning for the LCS Program commenced. Until then, the Navy will be forced to retain the current generation of mine-sweeping ships.

Today, the Navy plans to purchase its final LCS seaframe in 2019, the same year when the mine countermeasures package is supposed to be ready. If the mine countermeasures package has suffered a delay by that point—and with the history of this program to date, a mere 1-year delay would qualify as an improvement—the Navy will have an entire fleet of LCS's with only two-thirds of their planned capability, even if all the other problems with the ships are fixed.

All of the mission packages need significant further testing and have to overcome major integration challenges. That work is likely to drive up program costs and leave combatant commanders without the tools or capabilities they need for years to come.

The LCS Program faces a daunting combination of capability failures and strategic confusion. The Navy does not know what the LCS seaframes will actually be capable of doing once all of them are purchased in 2019, and it does not know what role they will play, even if development miraculously goes according to plan. Against that backdrop, the need to slow this procurement is clear.

Recently, we learned that, at Secretary Hagel's direction, the Navy has established a task force to determine how LCS can best serve the fleet going forward. The Navy should, above all else, not repeat the mistakes of the past, and Congress must hold the Navy to account at each step in the process. This means establishing requirements and sticking to them, setting a stable design and holding to it, and zealously guarding against further cost growth.

I support Secretary Hagel's decision to limit LCS procurement to 32 ships. I have recommended further reducing

the LCS procurement to 24 ships. More important than the raw number of ships, however, is the manner in which the procurement goes forward. As Congress considers the President's 2015 budget request and continues to conduct oversight of LCS and every major defense acquisition program, we would be wise to understand this particular program's failings or risk repeating them.

The program is still clearly riddled with uncertainty about what the ships will be used for and what they will be capable of. Production should not go forward until the Navy and DOD confirm that LCS provides greater capabilities than the legacy ships it is intended to replace and that the mission packages plus the seaframes have demonstrated the combined combat capability that our combatant commanders need.

I understand that in connection with Secretary Hagel's direction to limit LCS's procurement and develop a more capable follow-on ship the Navy is underway brainstorming on possible alternatives to LCS that may provide it reliably with the capabilities it needs at a comparable cost. Before making final decisions on any procurement, however, the Navy must first determine what problem it is trying to solve—exactly what operational requirements do combatant commanders actually have that cannot be met with current capabilities? This is the step the LCS Program originally skipped. Only after that basic question is answered definitively should the Navy start considering what material solution could be brought to bear on that capability gap. On major defense acquisition programs, that should always be our approach—LCS or no LCS.

While history of the LCS procurement supports my recommendation that we should not procure ships until we know what we want them to do, that outcome is also dictated by plain common sense. We live in an age of great fiscal uncertainty due to sequestration and other defense budget cuts. With that fiscal pressure, there is a much smaller margin for error in the procurement world. Every dollar wasted buying ships with unclear capabilities for unspecified missions is a dollar that could have supported a vital defense activity. The wastefulness of excessive concurrency—of buying a system that has not been tested and figuring out requirements and fixes on the fly—is more unacceptable than ever when so many good programs have to make do with sharply reduced funding. I will continue speaking out against wasteful concurrency, that is, acquisition malpractice, as I have done for years.

In today's fiscal world, spending money as we have done in LCS is not just reckless, not just wasteful, it is dangerous. It actually weakens our national defense. It is my sincere hope and firm conviction that in the future we can prove ourselves better stewards

of taxpayer money than we have in the past. And finally getting LCS right would be a big, long overdue step in that direction.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REMEMBERING ERNEST B. HILLENMEYER, JR.

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to and lament the passing of a man of great faith from my home State, the Commonwealth of Kentucky. Mr. Ernest B. Hillenmeyer, Jr., devoted his life to serving others. He passed away last Thursday at the age of 92.

Ernest, or "Ernie" as he was affectionately known by friends and family, was born on a farm in Lexington, KY, on February 26, 1922. Ernie's formative years occurred when our country was trapped in the depths of the Great Depression. It was during this time that he learned the value of a good education, of family and community, and of faith in God. Through good times and bad, Ernie carried these ideals with him for the rest of his life.

Ernie's daughter, Katy Hillenmeyer, has said that "we'd all have to live to be 200 to accomplish what he did in his 92 years." This is hardly an understatement. After graduating from the U.S. Merchant Marine Academy, Ernie served his country for 10 years in the U.S. Naval Reserve. In 1985, he was ordained as a deacon and served his parish at St. Patrick Church in Maysville and St. James Church in Brooksville. Ernie was heavily involved in establishing the Meadowview Regional Hospital and the Hospice of Hope, both in Maysville, KY. He also chaired the Hayswood Foundation for 10 years, served as a director of the Maysville-Mason County Area Chamber of Commerce, and was the first lay chair of the board of trustees at Thomas Moore College. Those are only a few of Ernie's many accomplishments from a lifetime of service to others.

Ernie is survived by his wife, Mary Agnes Farrell Hillenmeyer, his sister, Mary Hillenmeyer Fiore, 6 children and 11 grandchildren. Said his cousin, Rob-

ert F. Houlihan, Jr., "He's loved and respected. And he was totally unafraid to die. You can't live a bad life and be unafraid of death." Although he may have been unafraid, Ernie will undoubtedly be missed by those who knew and loved him. I ask that my Senate colleagues join me in remembrance of the life of Ernest B. Hillenmeyer, Jr.

Mr. President, Ernie's obituary was recently published in the *Ledger Independent*. I ask unanimous consent that it be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The *Ledger Independent*, Apr. 3, 2014]

#### HILLENMEYER REMEMBERED FOR LIFE OF SERVICE

MAYSVILLE.—During his 92 years, Ernest B. Hillenmeyer Jr. lived by the motto his father instilled during his boyhood on their Lexington farm: "Be honest, and be of service to your community."

Hillenmeyer embodied that creed through the many decades and facets of his life, each guided by love of God, family and his community.

Hillenmeyer, former president of Parker Tobacco Company and a leader in the Catholic Church and civic affairs, died April 3, 2014, at the age of 92, at Maysville Nursing and Rehabilitation Center following a long illness.

He raised seven children in Maysville, where he lived for the past 68 years, and is survived by his wife of more than 52 years, Mary Agnes Farrell Hillenmeyer.

The World War II veteran helped establish Meadowview Regional Medical Center in Maysville and Hospice of Hope, which provides end-of-life care and through which, as its first chaplain, he ministered to patients. In 1985, he was ordained a deacon in the Roman Catholic Church as part of the Diocese of Covington's first class of men to enter the permanent diaconate and served his parish at St. Patrick Church, Maysville, along with St. James Church in Brooksville, where he was pastoral associate from 1998 to 2002. Thomas More College in Crestview Hills, where Hillenmeyer was the first layman to chair the board of trustees, awarded him an honorary doctorate in May 2013 for his lifetime of leadership and volunteerism.

"Deacon Ernie Hillenmeyer was a gentleman and a man of integrity," said Sister Justina Franxman, OSB, his friend and spiritual director for a number of years. "He loved God, his family and the Church. He was committed to his ministry and saw Jesus in the people to whom he ministered. Ernie loved life to the full."

"Ernie" Hillenmeyer was born Feb. 26, 1922, in Lexington, to Earnest B. Hillenmeyer Sr. and Mathilde Scott Hillenmeyer and grew up on his father's farm. His passion for gardening and agriculture dates to his youth tending peach and potato crops with his dad, himself the son and grandson of nurserymen.

He attended St. Paul's School in Lexington and later graduated from Campion Jesuit High School in Prairie du Chien, Wis.

He graduated from the United States Merchant Marine Academy in Kings Point, N.Y., holding a commission from 1942 to 1952 as an officer in the U.S. Naval Reserve, from which he was discharged as a lieutenant.

He spent three and a half years during World War II as a deck officer aboard liberty ships in the Merchant Marine, sailing with the North Atlantic and Pacific fleets.

During the war, he met fellow Kentuckian Ellen Cochrane Parker, a Maysville native whom he married in April 1945.

His father-in-law, S. Alex Parker Sr. hired Hillenmeyer into the family's tobacco business in 1946 and the couple settled in Maysville, where their four children, Zoe, Theresa, Ernie and Cece, were born.

Following his first wife's death in 1960, Hillenmeyer married Mary Agnes Farrell of Ludlow, to whom he was introduced by his childhood friend, the late Msgr. John F. Murphy.

Married in October 1961, the couple had three more children, Ellen, Katy and Paul.

He frequently traveled abroad for business and hosted international guests in the creek-side house he built in Huntington Park, one of two contiguous subdivisions he helped to develop in Aberdeen, Ohio.

Whether sailing houseboats, pitching horseshoes, playing bridge or crosswords, betting horses at Keeneland or cheering on the University of Kentucky Wildcats, Hillenmeyer enjoyed recreating with his family and friends, and delighted in competition.

In 1987, Hillenmeyer was a representative attending various Masses when Pope John Paul II visited and met with deacons for a conference, in Detroit, Mich.

In all his years teaching card games to his kids and grandkids, he never threw a hand. He took pride, too, in his vegetable and flower gardens, producing homegrown tomatoes and asparagus into his 90s.

Hillenmeyer began his long association with Thomas More College when in the mid-1950s he was invited to become a member of the Board of Lay Overseers, to which he was selected chairman in 1960. This Board recommended the college's move from downtown Covington to Crestview Hills and the construction there of a new campus.

Along with education, Hillenmeyer worked to advance ecumenism, health care and economic and human development.

As a member of the Limestone Ministerial Association, he led ministers and others to locally observe an annual week of prayer for Christian unity, now in its 42nd year.

He chaired a fund-raising drive to build a new hospital to replace Maysville's outdated Hayswood Hospital. For 10 years, he chaired the Hayswood Foundation, launching its grant program which donated funds to support St. Patrick School, the YMCA, The Boys and Girls Club and other projects in surrounding communities.

A founding member of the Council for Burley Tobacco, Hillenmeyer testified before Congress on behalf of tobacco trade associations, and formerly presided over the Burley Tobacco Dealers Association.

He served two terms as council member and vice mayor of Aberdeen; was local district chairman for the Boy Scouts of America; president of the Maysville Country Club; served as a director of the local Chamber of Commerce; formerly presided over Appalachian Industries in Vanceburg, promoting employment and housing; and was a lifetime member of the UK Alumni Association.

During retirement, he and his wife, Mary, routinely attended daily Mass, and prayer and scriptural reflection, and continued to nurture their deep bonds of affection and eagerness to share their faith with others.

"Ernie is a pillar—gentle and firm at the same time," cousin Robert F. Houlihan Jr., of Lexington said. "He's loved and respected. And he was totally unafraid to die. You can't live a bad life and be unafraid of death."

He is survived by his wife, Mary Farrell Hillenmeyer; youngest sister, Mary Hillenmeyer Fiore of Kansas City Missouri; six children, 11 grandchildren, beloved in-laws and many other relatives who were dear to him.

Mass of Christian Burial will be celebrated at 11 a.m., Monday, April 7, at St. Patrick Church, in Maysville.